

### **REMARKS/ARGUMENTS**

The office action of October 5, 2006 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 9, 10, 12-17, 21-23, 25-28, and 30<sup>1</sup> remain in this application. New claims 31-35 have been added. Claims 1-5, 11, 24 and 29 have been canceled without prejudice or disclaimer. Claims 6-8 and 18-20 were previously canceled without prejudice or disclaimer.

Preliminarily, applicants wish to thank Examiner Ludwig for the courtesies extended to the undersigned during the various informal discussions as well as the telephone interview of November 29, 2006. Also, applicants wish to thank Examiner Hong for the courtesies extended during the telephone interview of December 1, 2006. The following remarks include applicants' substance of interviews pursuant to MPEP § 713.04.

Applicants note with appreciation the indication that the application contains allowable subject matter. Specifically, claims 11-15 have been objected to for being dependent upon a rejected base claim, but would be allowable if amended to incorporate all the features of their ultimate base claim and any intervening claims. Applicants have rewritten claims 12 and 14 in independent form to place them in immediate condition for allowance. Claims 13, 15, 16 and new claims 31-35, which each depend from one of claims 12 and 14, are allowable for at least the same reasons as their corresponding base claim.

Claims 1-5, 9-17, and 21-29[30] stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have amended independent claims 9, 12, 21 and 26 and 21 as agreed during the telephonic interviews to address this rejection and place these claims in condition for allowance. The remaining pending claims depend from one of independent claims 9, 12, 21 and 26 and overcome this rejection for at least this reason.

Claims 1-5, 9, 10, 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,035,268 to Carus et al. ("Carus"). Applicants respectfully traverse this rejection. Claim 16 depends from claim 14, which was identified as containing allowable subject matter, and is therefore allowable for at least this reason. While not

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<sup>1</sup> The office action mailed October 5, 2006 only refers to claims 1-29 in the present application; however, it is clear from the record that the application contains 30 claims. Since claim 30 is dependent upon claim 29, Applicants' response will also address claim 30.

acquiescing in this rejection, to expedite prosecution and to obtain an early allowance, applicants have canceled claims 1-5 and 11, and amended claim 9 to incorporate the features of claim 11, which was identified as containing allowable subject matter. Claims 10 and 17 depend from amended claim 9, and are allowable over the applied art for at least the same reason as their base claim.

### **CONCLUSION**

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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